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QUOTATIONS

THE PRESIDENT AND THE FOOD AND DRUGS ACT

We have, for the past three weeks, called attention to the failure of the federal Food and Drugs Act, under the interpretation recently given it by the Supreme Court, to protect the public against loss, both in health and pocket, from lying claims regarding the curative effects of nostrums. As soon as the new interpretation became public, some of the more progressive members of Congress began to plan for getting an amendment to the pure food law that would specifically prohibit untruthful claims for therapeutic effects of drugs. President Taft, on June 21, took official cognizance of the blow that the Supreme Court decision had dealt the Food and Drugs Act by sending a special message to congress urging the very amendments that are needed to restore that law to its previous efficiency. Said the President:

An evil which menaces the general health of the people strikes at the life of the nation. In my opinion . . . the sale of drugs under knowingly false claims as to their effect in disease constitutes an evil and warrants me in calling the matter to the attention of the Congress.

Fraudulent misrepresentations of the curative value of nostrums not only operate to defraud purchasers, but are a distinct menace to the public health. There are none so credulous as sufferers from disease. The need is urgent for legislation which will prevent the raising of false hopes of speedy cures of serious ailments by misstatements of the fact as to worthless mixtures on which the sick will rely while their diseases progress unchecked.

To meet the objection that has been raised in some quarters that the curative effect of nostrums is a matter of opinion and not of fact and that the opinion will vary both as regards the so-called schools of medicine and also as to individuals of the same school, Mr. Taft says:

No physician of standing in his profession, no matter to what school of medicine he may belong, entertains the slightest idea that any of these preparations will work the wonders promised on the labels.

And further:

Of course, as pointed out by the Supreme Court, any attempt to legislate against mere expressions of opinion would be abortive; nevertheless, if knowingly false misstatements of fact as to the effect of the preparations be provided against, the greater part of the evil will be subject to control.

That the amendment suggested by the President will be fought by the "patent medicine" interests is to be expected. The Proprietary Association, as recently as June 17, sent out a letter purporting to give "the legal aspect of the Johnson case." The gist of the letter is contained in the following sentence that appears in it:

As there is no science in therapeutics, the practice of medicine being based on opinion and not on definite scientific facts—any statement concerning the curative properties of any drug, chemical or medicine, is largely a "matter of opinion." . . .

In the opinion of the Proprietary Association—in other words, in the opinion of "patent medicine" makers—"the effect of the decision of the Supreme Court does not change or weaken the Food and Drugs Act in any particular."

President Taft, as evidenced by his special message, disagrees with the "patent medicine" men, for in his message he says:

I fear that if no remedial legislation be granted at this session the good which has already been accomplished in regard to these nostrums will be undone, and the people of the country will be deprived of a powerful safeguard against dangerous fraud.

We believe that the restrictions the President would have placed on the nostrum business are more likely to meet with public approval than the "wide-open" policy advocated by the makers of "patent medicines." Amend the act!—*Journal of the American Medical Association*.

SCIENTIFIC JOURNALS AND ARTICLES

THE *Journal of Experimental Zoology* for July contains two articles: "Assortative Mating, Variability and Inheritance of Size, in the Conjugation of *Paramecium*," by H. S.